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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

New international humanitarian order

Report of the Secretary-General*

Summary

The present report addresses the question of promotion of a new international humanitarian order, which has been on the agenda of the General Assembly since its thirty-sixth session but which has assumed an important additional dimension following the developments around the world since the events of 11 September 2001.

The opening paragraphs of the report summarize the evolution of the item since its inclusion in the agenda of the Assembly. The paragraphs that follow are a succinct presentation of some ideas and concepts whose relevance to the current humanitarian challenges is axiomatic and whose purpose is to ensure a holistic approach to these challenges while accelerating the process of promoting a humanitarian order that corresponds to emerging realities. The report calls for new solutions to old and recurrent problems, while drawing attention to some of the new challenges.

The recommendations at the end of the report, read with the ideas and proposals put forward in the annex, invite reflection and action by the Assembly.

* The delay in the submission of the report was caused by the need to wait for the views of Governments, as requested in Assembly resolution 55/73.

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1. The present report is submitted pursuant to paragraph 7 of General Assembly resolution 55/73 of 4 December 2000. Since the inclusion of the item relating to the promotion of a new international humanitarian order in the agenda of its thirty-sixth session, the Assembly has adopted without a vote 15 resolutions, in all of which it has expressed support for the initiative and recognized the role and efforts of the Secretary-General in that regard.

2. In the above-mentioned, most recent resolution on the subject, the Assembly, as in previous resolutions, invited Governments to make available to the Secretary-General on a voluntary basis, information and expertise on humanitarian problems of concern to them, in order to identify opportunities for future action. Over the years, some 60 Governments have made available their views regarding the concept of a new international humanitarian order and made suggestions concerning the humanitarian challenges facing the international community. These views were annexed to the 11 reports hitherto submitted by the Secretary-General under this item. In addition to Member States, 12 agencies and programmes of the United Nations system, as well as a number of international non-governmental organizations, have made available their views and information regarding their activities in the humanitarian field.

3. In his previous report on the subject (A/55/545), the Secretary-General expressed his conviction that the response of Member States would help to develop an agenda for humanitarian action at the national, regional and international levels. Taking into account the humanitarian emergencies in recent years and in particular developments at the national and regional levels throughout the world following the events of 11 September 2001, it would indeed be desirable to develop such an agenda as a tool for preparedness and prevention through positive and timely action by the international community.

4. In view of queries regarding the concept of a new international humanitarian order, the Secretary-General wishes to reiterate what the Government of Jordan, which introduced the agenda item, stated in an earlier report, namely, that the purpose was not to question the existing humanitarian instruments and mechanisms but rather to build on them and thus strengthen the international response to humanitarian challenges, and that the aim was, first, to encourage the updating and adjustment of the existing instruments and practices to new realities and, second, to identify new humanitarian issues that call for adequate international responses (A/53/486, annex). It is clear that, in view of the armed conflicts and humanitarian emergencies which have claimed millions of lives during the past decade and taking into account the new problems posed by international terrorism, there is more than ever before an urgent need to promote a new international humanitarian order based on innovative thinking and on lessons learned.

5. While sustainable and concerted global efforts to prevent, contain and minimize human suffering during emergencies are essential, it is equally important to identify and address the root causes of humanitarian emergencies. A comprehensive and holistic approach is urgently called for to prevent and contain them. Such an approach may seem costly in the short run but huge benefits are bound to accrue in the long run, not only in terms of the financial and political efforts required during emergencies but, above all, in terms of avoiding or alleviating human suffering.

6. The link between humanitarian emergencies and underdevelopment is increasingly being recognized by the world community as is the nexus of poverty, violence and lack of good governance. This calls for a corresponding change in the perspective, approach and operational strategies of both the donors and recipients of humanitarian and development aid. At the same time, it is essential that adequate measures be taken to protect innocent civilians who, numerically, constitute an overwhelming majority of the victims of armed conflict and other man-made disasters.

7. Experience during recent years shows that hundreds of thousands of lives could be saved through timely action. Effective measures need to be taken to increase the capacity of response mechanisms to act speedily and adequately when situations so demand. These should include local capacity-building in order to promote the self-sufficiency and maximum involvement of local populations, the main stakeholders, from the outset. This should be done at the national as well as the regional level.

8. There is a growing awareness of the need to resolve problems at the regional level before they become internationalized. The Charter of the United Nations (Chap. VIII) recognizes the role of regional organizations in the maintenance of peace and security. The same could be said, by analogy, of the preventive and containment efforts made in regard to crisis situations, as well as humanitarian action in emergency situations. There is no doubt that, for purposes of preparedness and containment and for facilitating international action when required, regional capacity can be of decisive importance. Hence the need for the development of human and material resources as well as capacity-building of indigenous non-governmental organizations.

9. In the context of the Global Compact and in recognition of the increasingly significant role being played by the private sector in the socio-economic and political fields, the Secretary-General has time and again emphasized the importance and relevance of the private sector to humanitarian work. While commendable efforts have been made by the private sector in certain crisis situations, there is a need to institutionalize and further strengthen its role within universally accepted humanitarian principles, in particular in the context of humanitarian emergencies. On the basis of enlightened self-interest, it is time for local, regional and international bodies to establish links with the private sector and for the latter to join with them in concerted efforts to alleviate suffering and promote socio-economic well-being.

10. By resolution 55/73, the Assembly highlighted the need for strict adherence to refugee law, international humanitarian law and human rights instruments. In a number of reports to various forums, the Secretary-General has continued to plead for a culture of compliance regarding those laws and norms.

11. Bearing in mind the events of 11 September 2001, the Secretary-General is of the view that the study relating to compliance, mentioned in his previous report, should take into account the important developments that have occurred throughout the world since that date. Likewise, the increasingly important role of non-state actors in terms of respect of international instruments and universally accepted norms must be analysed. In this context, attention is drawn to the role of the Independent Bureau for Humanitarian Issues which has undertaken the aforementioned study, as well as to the invitation extended to the Bureau by the

Assembly in resolution 55/73, to strengthen further its activities, including cooperation with the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat and the other relevant bodies of the United Nations system.

Recommendations

12. **Taking into account the ongoing efforts of the Secretary-General and the considerations and concerns mentioned above, the General Assembly may wish, inter alia, to:**

(a) **Urge Governments to assist the Secretary-General in his efforts to promote a new international humanitarian order that corresponds to new realities and challenges, including the development of an agenda for humanitarian action;**

(b) **Call upon Governments to provide expertise and the necessary means to identify the building blocks of such an order and agenda, plan the architecture and undertake the required supplementary activities, in addition to those mentioned in the foregoing paragraphs;**

(c) **Ensure support for strengthening regional capacity and activities to prevent or contain humanitarian emergencies;**

(d) **Support the efforts of the Secretary-General to promote a culture of compliance and help to identify the measures that need to be taken in addition to the ongoing activities in this regard;**

(e) **Provide the necessary means in terms of human and financial resources in order to identify and cover the grey areas in the humanitarian space that are not covered by existing mechanisms and that call for international supportive action.**

Annex

Replies received from Governments

Bosnia and Herzegovina

1. The tenacious efforts being made by the United Nations to promote peace and human rights, encourage the prevention and containment of conflicts, ensure the protection of the vulnerable and strengthen the coordination of related activities deserve the appreciation and support of all nations and men of goodwill. The Government and people of Bosnia and Herzegovina, on the basis of their experience during and after the armed conflict which ravaged their country, owe a special debt of gratitude to the United Nations system and the international community for their timely and valuable assistance. Having had direct experience of humanitarian challenges before, during and after the armed conflict in our country, we fully recognize and support the need to promote a new international humanitarian order, in particular after the events of 11 September.

2. In Bosnia and Herzegovina, and in general in the Balkan region, peacemaking and peacekeeping efforts have yielded encouraging results. However, the challenge of peace-building still remains. For peace to be durable, it must be supported by humanitarian assistance and by sustainable development in the economic and social fields. In this regard, it would be worthwhile for the United Nations to strengthen its peace-building efforts, in particular in the war-ravaged countries which remain vulnerable and in dire need of stability.

3. In its previous submission to the report of the Secretary-General on a new international humanitarian order (see A/53/486, annex), the Government of Bosnia and Herzegovina suggested the adoption by the General Assembly of a set of principles to regulate the conduct of all actors and stakeholders and to enhance the impact of external aid, which could serve as guidelines during complex emergency situations. These guidelines were elaborated, on the basis of extensive field experience, in close collaboration with the Independent Bureau for Humanitarian Issues and consisted of 20 articles, which were reproduced in the aforementioned report.

4. Although progress has since been made by the Economic and Social Council and the Assembly, as well as by the concerned United Nations agencies and Secretariat departments, to articulate the lessons learned during complex humanitarian emergencies, there is clearly the need to pursue the matter further in order to streamline and strengthen the role of all actors and stakeholders involved in such emergencies. Bearing this in mind and inspired by its own direct experience, the Government of Bosnia and Herzegovina proposes the adoption, in the form of a resolution or a declaration by the General Assembly, of basic tenets governing humanitarian action during complex emergencies. The Independent Bureau for Humanitarian Issues, in the context of the numerous Assembly resolutions relating to the promotion of a new international humanitarian order, has prepared a detailed commentary, article by article, of these tenets. It is hoped that the commentary, which provides the background, the rationale and a detailed explanation of each tenet, will facilitate consideration of the tenets and their expeditious adoption.

5. Another field in which the Government and people of Bosnia and Herzegovina have gained considerable experience is that of involuntary displacement of populations. Uprooted people, whether they are internally displaced or leave the country and become refugees, face the same ordeal. Their plight and the problems that they face are very similar. However, the attention and support that they receive from the international community are not similar. This disparity, as well as the need for protection and socio-economic development covering all categories of uprooted people, needs to be further studied in the context of the promotion of a new international humanitarian order.

Canada

1. The Government of Canada is committed to strengthening the legal and physical protection of civilians in situations of armed conflict. It views this objective as central to the achievement of a new international humanitarian order. In this respect, a demonstrated commitment to upholding international human rights, humanitarian and refugee law by state, and where applicable, non-state armed groups is critical, as is effective state, intergovernmental and non-governmental operational coordination and collaboration. Since the adoption of General Assembly resolution 55/73, Canada has continued to support international responses to both major and forgotten humanitarian emergencies, and to develop and promote tools, strategies and guidelines that could help to direct international responses so as to maximize the protection of civilians. The paragraphs below provide an overview of Canadian efforts to advance the principles outlined in resolution 55/73.

2. The adoption of resolution 55/73 coincided with the end of Canada's most recent Security Council tenure (1999-2000). Throughout its time on the Council, Canada worked closely with other Member States, the United Nations system and non-governmental organizations to develop practical approaches to civilian protection. With the adoption of resolutions 1265 (1999) and 1296 (2000) on the protection of civilians in armed conflict, and those focused on conflict prevention, children, and women in armed conflict, the Security Council has made important strides in developing a framework for action where populations are at risk. This is evident in the outline of new sanction regimes and peacekeeping missions. Continued implementation is a key factor in this regard.

3. For this initiative to succeed, it is critical that other organs of the United Nations, in particular the General Assembly, address the relevant parts of this agenda and work in partnership with actors and institutions outside the United Nations system. Over the past two years, therefore, Canada has focused on the development of practical strategies by international and regional organizations, and civil society actors in the field of civilian protection. Canada was pleased to have supported a number of projects aimed at advancing this goal, including, inter alia, the convening of a workshop, involving African Parliamentarians, on international humanitarian law in March 2002, two expert policy round-table meetings in New York in the second quarter of 2002, and a regional seminar on civilian protection in South Africa in October 2002. Canada have also focused on the development of operational tools. For instance, in the area of peacekeeping, Canada, together with the United Kingdom of Great Britain and Northern Ireland, has been active in promoting gender training for peace support operations — for its own forces and others with which it cooperates. Most recently, the jointly developed gender training

tools were made available online, so as to promote greater access, dissemination and implementation by other actors.

4. The Government of Canada has also sought to give prominent consideration to civilian protection issues at several high-level international meetings over the past two years. It was very pleased that the Africa Action Plan adopted by leaders of the Group of Eight at Kananaskis, Canada, in June 2002, committed the Group to addressing the issue of civilian protection and various dimensions associated with it. Section 1.7 of the Africa action plan explicitly focuses on work to enhance African capacities to protect and assist war-affected populations and facilitate the effective implementation in Africa of Security Council resolutions relating to civilians, women and children in armed conflict, including by supporting African countries hosting, assisting and protecting large refugee populations.

5. Canadian efforts have also been focused on the multilateral development of specific thematic initiatives, including those described below.

International refugee protection

6. The Global Consultations on International Protection initiated by the Office of the United Nations High Commissioner for Refugees (UNHCR) provided an important opportunity for the international community to revitalize its search for innovative responses to the needs of refugees and to reaffirm its commitment to the principles of international protection. As one contribution to the Consultations, Canada hosted a regional meeting in the second quarter of 2001 on the integration of protection principles in migration control measures and is currently developing initiatives to support UNHCR in the implementation of the Agenda for Protection, deriving from the Consultations. Beyond the global consultations, Canada has been working to address insecurity in refugee camps, including by hosting two international workshops aimed at identifying the appropriate role of international security forces. This has led to the development of new doctrine and has fed into the work of the Executive Committee of the High Commissioner's Programme.

Internally displaced persons (IDPs)

7. Effective coordination at the field level and adherence to international law are critical for ensuring the effective protection of internally displaced persons. Since the adoption of Assembly resolution 55/73, Canada has actively supported the work of the Representative of the Secretary General for Internally Displaced Persons, the Global IDP Project of the Norwegian Refugee Council, the Senior Inter-Agency Network on Internal Displacement and, more recently, the Internal Displacement Unit of the Office for the Coordination of Humanitarian Affairs. Canada also provides support for emergency projects targeting internally displaced persons in affected countries, such as Afghanistan, Angola, Burundi, the Democratic Republic of the Congo, Timor-Leste, Kosovo, Liberia , Sierra Leone and Sri Lanka

Anti-personnel landmines

8. Canada firmly supports the Ottawa Convention as the best comprehensive framework for ensuring that the human tragedy caused by anti-personnel mines is addressed. It continues to work actively to address the humanitarian impact of anti-personnel mines, to increase the number of States parties to the Convention and to promote its implementation by helping States parties meet their obligations under

the Convention. This is done by supporting programmes, projects and diplomatic dialogue across the spectrum of mine action: mine clearance, destruction of stockpiles and provision of assistance to victims.

Security of humanitarian workers

9. Critical to the success of any humanitarian action is the ability of aid workers to work in a safe and unhindered environment, consistent with international law. Canada has been deeply concerned by the increase in, and impunity for, attacks against aid workers in the past several years, despite the existing legal protections. As part of its commitment to reverse this alarming trend, Canada has been a strong advocate for enhancing the legal protection of humanitarian workers and improving their access to training and equipment. It has earmarked financial resources in support of security for specific humanitarian operations, advocated an increase in United Nations regular budgetary support for the United Nations Security Coordinator, and taken active part in the ad hoc working group of the Sixth Committee of the General Assembly, which is evaluating ways of strengthening existing legal mechanisms.

Fighting impunity

10. Since the adoption of Assembly resolution 55/73, Canada has continued its efforts to promote the ratification and implementation of the Rome Statute which created the International Criminal Court, to ensure the effective functioning of the Court, and to conduct education and outreach regarding the work of the Court. Through its human security programme, Canada has supported ratification and implementation workshops in Asia, Africa, Latin America, the Caribbean, the South Pacific and the Middle East. These have been undertaken in partnership with other Governments, international organizations such as the International Committee of the Red Cross, the Commonwealth Secretariat, la Francophonie and non-governmental organizations. Canada has actively participated in United Nations discussions to create the Sierra Leone Special Court, which is to prosecute those who bear the greatest responsibility for crimes against humanity, war crimes and serious violations of Sierra Leonean law during the decade-long civil war. Canada serves as the Chair of the Management Committee for the Special Court and chairs the Group of Interested States, consisting of contributors to the Special Court.

War economies and sanctions

11. Canada is committed to working with the international community in tackling the economic dimensions of armed conflict. At the United Nations, and in particular during its recent term on the Security Council, Canada worked diligently to expose the link between diamonds and war. Canada is also a leading proponent of the Kimberley Process, aimed at creating an international certification scheme to tighten controls over the trade in rough diamonds and to prevent conflict diamonds from reaching legitimate markets. Canada is committed to developing systematic and effective responses to other war-related commodities and to the sophisticated financial networks through which they are laundered. The link between armed conflict and the exploitation of natural resources was further addressed in the Group of Eight's Africa Action Plan, agreed to at Kananaskis in 2002.

12. It is appropriate that consideration of the agenda item on the new international humanitarian order coincides with the tail end of the tenth anniversary of the adoption of General Assembly resolution 46/182 of 19 December 1991, the framing text for the current approach of the United Nations to humanitarian coordination and action. Key to both resolutions is their emphasis on the role of affected States in ensuring timely action on behalf of vulnerable populations. States have the responsibility in the first instance to protect populations within their borders. Where authorities are not able to fulfil this role, the international community can play an important supportive function. Canada was pleased to have financially supported the work of the International Commission on Intervention and State Sovereignty which developed the report entitled "The responsibility to protect". This document was submitted to the General Assembly at its fifty-seventh session (A/57/303, annex) and its follow-up will be important in generating a new consensus among the international community on controversial issues around the use of military force in response to genocide, ethnic cleansing and other mass atrocities.

13. In closing, it is important to underscore that the Government of Canada views the strengthening of the legal and physical protection of vulnerable populations as a shared responsibility. It requires collaboration and coherence in approach by a variety of actors, including Member States, United Nations agencies, intergovernmental and regional organizations, non-governmental organizations and the private sector. It demands that state and non-state armed groups respect international law and their responsibilities towards war-affected and other affected populations.

14. Important advances have been made since the adoption of resolution 55/73 in developing the necessary tools, mechanisms and instruments to enhance the international response to humanitarian crises. The efforts of the Office for the Coordination of Humanitarian Affairs and the Inter-Agency Standing Committee merit special mention in this respect. However, consistency remains a challenge, in particular on the part of States whose political commitment to addressing the root causes of humanitarian crises remains erratic. Continued efforts to ensure respect for international humanitarian, human rights and refugee law, to improve coordination among humanitarian actors and to identify and allocate adequate resources for humanitarian crises in a timely and flexible manner, including in the transition from relief to development, must remain key objectives of all Member States if we are to succeed in achieving the goals outlined in resolution 55/73.

Jordan

1. The Government of the Hashemite Kingdom of Jordan is convinced that, in the light of developments throughout the world since the tragedy of 11 September 2001, it is more important than ever before to promote a new international humanitarian order. The Government has noted with satisfaction the continuing interest of the General Assembly and the Secretary-General in this agenda item, as testified by the 15 resolutions adopted without a vote since the item was introduced by Jordan. The Government has also noted the persistent efforts of the Independent Bureau for Humanitarian Issues, mentioned specifically in 11 of those resolutions, and which it is hoped will be further strengthened through its collaboration with the Office for the Coordination of Humanitarian Affairs, as suggested by the Assembly in resolution 55/73.

2. While it is encouraging that more than 100 of the recommendations made by the Bureau's predecessor, the Independent Commission for International Humanitarian Issues, have been implemented, as noted in previous reports of the Secretary-General, it is important to ensure active follow-up to the remaining suggestions of the Commission. The Government of Jordan wishes to propose that a group of governmental representatives, supported by experts, be formed on voluntary basis in order to review the state of humanitarian space, identify the new and emerging humanitarian problems and their solutions as the building blocks of a new international humanitarian order. As explained in an earlier submission (see A/53/486, annex), the purpose of the agenda item introduced by Jordan was not to question the existing humanitarian instruments and mechanisms but rather to build on them and thus strengthen the international response to humanitarian challenges. Second, the aim of the Jordanian proposal was to identify new humanitarian issues that call for adequate international response.

3. The Government of Jordan, totally opposed to all acts and forms of terrorism, is painfully conscious of the far-reaching implications of this growing threat and fully supports all efforts at the national, regional and international levels to combat it. It is remarkable to note that, 15 years ago when the Independent Commission made available to the General Assembly its final report, entitled "Winning the human race", it drew attention to this phenomenon and pointed out, inter alia, that terrorism had become a serious impediment to the development of international cooperation and multilateralism, was part of a spectrum of global violence and reflected the increasing reliance on violent methods, was an affront to humanity, and could only be combated effectively through collective action, tenaciously pursued at the global level on the basis of common principles. It would be appropriate if the humanitarian aspects and implications of this phenomenon were included in the agenda of the governmental group mentioned in paragraph 2 above.

4. Another phenomenon, which calls for renewed efforts, is that of refugees. Jordan has been host for more than 50 years to a large number of refugees. It is clear that relief alone is not enough: refugees also need protection. Above all, they need durable solutions to their problems. It is now universally recognized that voluntary repatriation is the best solution to the refugee problem. The international community must play a more active role in creating conditions conducive to their return home. At the same time, it must help the country of asylum, not only to encourage a liberal policy of asylum but also to compensate it for the damage done by the influx of large numbers of refugees to the socio-economic fabric of the host society. New and innovative methods must be explored in the context of a new international humanitarian order.

5. The Government of Jordan reiterates that the dissemination of and education in fundamental human rights and freedoms, a community-based approach to peace and development and a vigorous effort at local capacity-building are examples of practical actions that the international donor community should support. As for the agenda item relating to the promotion of a new international humanitarian order, the Government continues to be of the view that the full potential of the agenda item is yet to be realized, although it has been useful as an umbrella item for humanitarian concerns not clearly covered by other agenda items.

Pakistan

1. Two decades ago, after the adoption by the General Assembly of resolution 46/182, relating to the promotion of a new international humanitarian order, the Government of Pakistan was among the first countries to support the idea and to express the hope that it would prove to be an essential step towards the achievement of the goals of human freedom, welfare and progress enshrined in the Charter of the United Nations (see A/40/348/Add.1).

2. Likewise, when the Independent Commission for International Humanitarian Issues was formed, Pakistan had the honour to be the first country to announce its support for the Commission and, subsequently, the follow-up mechanism that it established at the end of its mandate (i.e. the Independent Bureau for Humanitarian Issues). In this connection, the Government of Pakistan took note with satisfaction of the invitation extended by the Assembly, in resolution 55/73, to the Independent Bureau to continue and further strengthen its activities, including cooperation with the Office for the Coordination of Humanitarian Affairs of the Secretariat and other relevant bodies of the United Nations system.

3. Clearly, in view of the developments since 11 September 2001, the need to promote a new international humanitarian order is even greater than before. National and international legislation as well as norms and practices need to be adjusted to new realities and challenges. In this context, the Government of Pakistan wishes to highlight four issues of which it and the people of Pakistan have considerable direct experience and which continue to constitute major challenges to the international community.

4. First and foremost, at this point in time, is the problem of terrorism, which needs to be addressed urgently and effectively at the national, regional and international levels. It calls for concerted efforts by the international community. Various aspects of this phenomenon, which is not new but which is assuming serious proportions, need to be studied, including the humanitarian aspects of its repercussions. Above all, it is essential to analyse and address the root causes of terrorism and to try to eliminate them.

5. Second, the challenge of involuntary displacement of populations needs to be met more effectively through well-coordinated global action. Pakistan has had to host for more than two decades the largest number of refugees and externally displaced persons in the world. On the basis of lessons learned in South Asia and other parts of the world, it is important to adjust international norms and practices to realities on the ground. For example, in order to make voluntary repatriation a truly successful operation, it is important that the international community as a whole help to create conditions in the country of origin that would permit the rapid and satisfactory reintegration and rehabilitation of returnees. It is equally important that the country of asylum be helped to overcome the socio-economic problems caused by large influxes of refugees. Furthermore, a holistic approach is needed to address various aspects of involuntary displacement which can include not only refugees who fulfil the eligibility criteria contained in the 1951 Convention relating to the Status of Refugees but also those externally displaced persons who do not fulfil those criteria but whose need for humanitarian aid is no less. The efforts of the international community should be geared as much to relief and protection as to the active pursuit of durable solutions. Greater efforts need to be made also to assist and

protect internally displaced persons in order to circumvent the prospect of additional refugees.

6. Third, more vigorous efforts need to be made by the international community to employ more effective methods for conflict prevention. This involves not only an effective and accurate early warning system but also concrete and timely action at the regional and international levels to avoid recourse to arms and violence. In this context, new paradigms need to be developed to prevent humanitarian crises, which can degenerate into armed conflict between and within States. Similarly, peace-building and reconstruction of fractured societies call for innovative approaches and coordinated efforts both at the national and international levels. In view of the looming threats to peace and security in almost every continent, there is an urgent need to adjust and strengthen the global institutional arrangements for preventive work as well as peace-building.

7. Finally, in recognition of the fact that most humanitarian crises arise from violations of human rights, the international response should not be limited to exhortations for the respect of those rights in a narrow framework of reward and punishment but should be extended to addressing the root causes and to resolving humanitarian problems through a holistic approach. In other words, human rights should be more closely linked to humanitarian issues and the approach to both should be action-oriented and geared to tangible results.

Reply received from the Independent Bureau for Humanitarian Issues

1. During the period under review, the Independent Bureau for Humanitarian Issues continued and further strengthened its activities, as elaborated in the earlier reports of the Secretary-General, notably A/51/454, A/53/486 and A/55/545. In keeping with the most recent resolution of the General Assembly relating to the promotion of a new international humanitarian order (resolution 55/73), the Bureau also ensured cooperation with the Office for Coordination of Humanitarian Affairs of the Secretariat and the other relevant bodies of the United Nations system. It also served in various parts of the world as an implementing partner of some other United Nations bodies, such as the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and the United Nations Children's Fund. In the context of its vocation and mission, the Bureau firmly believes in the need to build upon and strengthen the nexus between human rights and humanitarian issues, which it perceives as two sides of the same coin. Consequently, it looks forward to closer collaboration with the Office of the High Commissioner for Human Rights and the Office for the Coordination of Humanitarian Affairs.

2. In pursuit of its primary function of follow-up to the work of the Independent Commission for International Humanitarian Issues, the Bureau has vigorously tried to disseminate the work of the Commission and to ensure that its recommendations are implemented. As stated in the earlier reports of the Secretary-General, almost two thirds of the recommendations and proposals of the Commission have indeed been translated into reality. However, the attention of the Bureau has been drawn to the fact that some of the most important and far-reaching recommendations have yet to be fully implemented. The Bureau intends to attach the highest priority to them,

in particular in view of recent developments and the emerging humanitarian challenges.

3. One of these recommendations calls for the establishment of independent national commissions for humanitarian issues, separate from but closely cooperating with the national human rights commissions which already exist in many countries throughout the world. Their task would be to identify neglected or inadequately addressed humanitarian problems and to encourage action, at the national and regional levels, to resolve them. They would serve as support mechanisms for international action and as useful interlocutors and supporters of humanitarian bodies, such as the Office for the Coordination of Humanitarian Affairs. As stated by the Independent Commission in its final report, these national commissions, if established in all regions, could together form the nucleus of a humanitarian movement that would complement the existing bodies and ongoing efforts by promoting issues which are inadequately addressed.

4. Linked to the above-mentioned recommendation is another important idea in the context of governmental action, which could have a far-reaching impact in the humanitarian field; that is, the establishment within the government structure of a ministry of humanitarian affairs or a special department attached to the office of the Head of State or Government. As rightly pointed out by the Commission, humanitarian issues are at present the concern of ministries of interior, social welfare, justice and foreign affairs, and such compartmentalization puts humanitarian issues at a disadvantage vis-à-vis other matters that have their specific advocates within the Cabinet. The Independent Commission was of the opinion that such a ministry or department would help to bring cohesion into the complex and diverse humanitarian networks and ensure that humanitarianism becomes a factor in the national policy-making process, on a par with other factors. It was considered, on the basis of lessons learned from a number of major humanitarian emergencies, that there was need for a focal point for effective coordination within the governmental structure and that a holistic multidisciplinary approach was called for. Some Governments have taken action closely resembling the idea put forth by the Commission but, in the opinion of the Bureau, there is clearly a need to further pursue it actively and cohesively, in particular in the war-ravaged or crisis-prone countries.

5. One of the recommendations made and actively pursued by the Independent Commission as of 1987 was successfully implemented a few years later, that is, the establishment of a United Nations central office for humanitarian issues. It was at first known as the Department of Humanitarian Affairs, but subsequently became the present Office for the Coordination of Humanitarian Affairs. The international community recognizes the usefulness of the central role of the Office, in particular in the initiation and coordination of concerted efforts to help the victims of natural and man-made disasters. In support of the noble and valuable work being done by the Office, the Bureau recalls that the Independent Commission strongly considered that the proposed office would not only be helpful in coordinating policies and programmes of the United Nations system but also in maximizing their impact and in monitoring as well as providing policy guidance in regard to specific humanitarian issues, including in particular those that are not adequately covered by existing agencies. The Office has indeed been asked to cover the so-called grey areas, such as the problem of internally displaced persons whose number now exceeds that of refugees. There are still other problems, such as the recurring

phenomena of mass expulsions or forced relocation of populations, which in recent years have adversely affected millions of persons. Likewise, new humanitarian challenges resulting from increasingly serious problems, such as international terrorism, need to be addressed from the humanitarian point of view as much as from the political or military angle. It would be worthwhile for the international community to support the Office for the Coordination of Humanitarian Affairs and provide it with the necessary means to deal with the neglected or newly emerging humanitarian problems.

6. One of the principal tasks of the Independent Bureau for Humanitarian Issues, inherited from the Independent Commission, is to defend and promote multilateralism, which is increasingly threatened by recent developments. It goes without saying that unilateralism, coupled with nationalism, can be lethal for multilateralism. A concerted effort is called for to defend and strengthen the multilateral institutions so painstakingly built during the past century. Likewise, there is increasingly a tendency to use humanitarian aid as a political tool or a bargaining chip. It is time to turn political humanitarianism into humanitarian politics. In all its work, the Bureau intends to contribute as much as it can to defend both multilateralism and humanitarianism.